

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

MARTINSBURG

Ross Thacker,

Petitioner

Case No.: 3:19cv5

v.

Warden, FCI McDowell,

Respondent

**NOTICE OF DEFICIENT PLEADING
AND INTENT TO DISMISS**

The pleading is not on a court-approved form. Therefore, the Clerk is giving notice as follows:

- The Pleading will be stricken from the docket within thirty (30) days from the date of this notice.
LR PL P 3.4.7
- This action will be dismissed without prejudice within thirty (30) days from the date of this notice.
LR Civ P 41.01
- If Petitioner wishes to pursue this action, he must file on the **ATTACHED CORRECT FORMS**
per Local Rules of Prisoner Litigation Procedure 3.4★★

If Petitioner RE-FILES on the correct forms, a new civil action number will be given to that filing.

★★WARNING!

**FAILURE TO COMPLETE AND SUBMIT EACH OF THE CORRECT AND
REQUIRED FORMS IN THEIR ENTIRETY COULD RESULT IN DELAYS IN
YOUR CASE OR YOUR COMPLAINT COULD BE DISMISSED!**

**WHEN REFILING WITH CORRECT COMPLAINT/PETITION FORM, MERELY
STATING ON THE FORM "SEE ORIGINAL COMPLAINT" OR "SEE
ORIGINAL PETITION" OR ATTACHING THE ORIGINAL COMPLAINT/
PETITION AS AN EXHIBIT IS NOT SUFFICIENT.**

Cheryl Dean Riley, Clerk of Court

Dated: 1/7/2019

By: **/s/ T. Gregory**

Deputy Clerk

Enclosures